

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
EASTERN DIVISION

FILED

97 JUN 18 PM 1:54

U.S. DISTRICT COURT
N.D. OF ALABAMA

MICHAEL HENRY SMITH,

Plaintiff,

VS

THE BUREAU OF PRISONS, et al,

Defendants.

CIVIL ACTION NO.96-AR-0384-E

ENTERED

JUN 18 1997

MEMORANDUM OF OPINION

The court has considered the entire file in this action together with the Magistrate Judge's Report and Recommendation, and the objection of the plaintiff, and has reached an independent conclusion that the Magistrate Judge's Report and Recommendation is due to be adopted and approved. The court hereby adopts and approves the findings and recommendation of the Magistrate Judge as the findings and conclusions of the court. In accord with the recommendation, the plaintiff's motion for certification as a class is due to be denied, the defendants' motion for summary judgment is due to be granted, and this complaint is due to be dismissed. An appropriate order will be entered.

DONE, this 18th day of June, 1997.

William M. Achey

WILLIAM M. ACKER, JR.,
UNITED STATES DISTRICT JUDGE

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